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PATENT
Customer No. 22,852
Attorney Docket No. 7738.147

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Grant E. DUBOIS et al.) Group Art Unit: 1761
Serial No.: 09/838,809) Examiner: unassigned
Filed: April 20, 2001)
For: NON CALORIC FROZEN)
CARBONATED BEVERAGE)

RECEIVED

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Assistant Commissioner for Patents
Washington, DC 20231

Sir:

PRELIMINARY AMENDMENT

Prior to the examination on the merits of the above application, please amend
this application, without prejudice, as follows:

IN THE CLAIMS:

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2. (Amended) The beverage according to claim 1, wherein the freezing point
depressant comprises a Sugar MNS selected from at least one of erythritol, isomalt,
maltitol, lactitol, or fructo-oligosacchride.

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4. (Amended) The beverage according to claim 1, wherein the beverage
syrup contains a high-potency non-caloric sweetener selected from at least one of
aspartame, saccharin, acesulfame-K, cyclamate, or sucralose.

LAW OFFICES

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